



Rep. Ed Orcutt

2004 LEGISLATIVE SESSION REPORT

18TH LEGISLATIVE DISTRICT

Serving the 18th District, including portions of Cowlitz and Clark counties.

REP. ED ORCUTT

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Dear friends,

Last fall I talked with an electrical contractor, a resident of our legislative district, who was worried about keeping his small company and its family-wage jobs going. When a bill that would have instituted hiring quotas – which favor larger contractors – came before the House this session, I shared his story when explaining why I would vote no. More importantly, I was concerned that it would leave experienced union workers in the unemployment line. I'm glad to report the bill failed to become law.

During our recent 60 days in Olympia I took every opportunity to talk about the people I represent and keep my fellow House members focused on what I view as our top priority: creating jobs and restoring trust in government.

Sometimes that meant pointing out the flaws in a bill, like that legislation which would have made things tougher for small employers as well as experienced union workers. And sometimes I was able to stand up and encourage the adoption of some good common-sense legislation, such as the bill I co-sponsored to help prevent convicted child molesters from quickly returning to the neighborhoods where their victims live.

This newsletter highlights some of the issues I thought were important and my position on them. I'll be around the district a lot in the coming months, talking with people. If you see me, please take a moment to say hello, and share your thoughts about these or other concerns. Also, you can reach me through my legislative e-mail address, get a message to me via the toll-free legislative hotline, or put a letter in the mail to me. It has been a great privilege to serve as your state representative and be your voice at our Capitol these past two years.

Sincerely,

Rep. Ed Orcutt

P.S. – Because this is an election year, state law says I can't send you another newsletter like this until after the November election. However, I am allowed to respond to any questions you may have about specific issues, so don't hesitate to contact me!

SUPPLEMENTAL OPERATING BUDGET I VOTED YES



The Legislature increased spending on state programs by a fraction of a percent to care for our state's most vulnerable citizens in nursing homes, on children's Medicaid, and with developmental disabilities. The extra funding also will pay for roughly 3,000 new enrollments in higher education (good news for Lower Columbia College, Clark College and WSU-Vancouver) to help students compete in the new economy. The revised budget doesn't require a tax increase, but it also doesn't leave much in reserve: less than \$300 million, which is a bare minimum for dealing with emergencies, emerging needs and revenue changes between now and July 2005.

SUPPLEMENTAL CAPITAL (CONSTRUCTION) BUDGET I VOTED YES



I serve on the House Capital Budget Committee, which considers state construction projects (school buildings, park facilities, etc.) for funding. I voted against the House's supplemental capital budget this session because House leaders tried to change or set policies with its spending choices. That's not appropriate. Fortunately, the compromise budget that resulted from negotiations between the House and Senate was much more in line with what a capital budget should be – a plan for investing in our communities. The changes allowed me to support it.

CHARTER SCHOOLS AND WASL IMPROVEMENTS I VOTED YES



"Alternative" schools are found in many districts already. After many years of work, Washington has become the 42nd state to authorize the development of another education alternative: charter schools. Up to 45 charter schools statewide will offer students more options, personal attention, second chances, and smaller class sizes. **Authority** and oversight will remain with the **locally elected school board**, and the decision to enroll a student in a charter school belongs to the parent or guardian.

Legislators also agreed on significant improvements to the Washington Assessment of Student

Learning. What students are expected to know to meet state academic standards for graduation will be made clear. Students will have the opportunity to take the WASL up to four times and can use alternative means in taking it. And if a student isn't meeting requirements early on, parents and teachers will work together to develop a graduation plan.

CLAMPING DOWN ON THOSE WHO HURT CHILDREN I VOTED YES



The Child Protection Act of 2004, which was sidelined by House leaders, then revived and adopted because of strong public outcry, makes major revisions to the state's Special Sex Offender Sentencing Alternative law (SSOSA). In the past that law has allowed offenders to serve less than six months in jail and then enter state-supervised treatment in the community, often to the horror of child victims and their families (as happened in the Pierce County case that prompted the bill). Now it will be more difficult for sex offenders to qualify for the SSOSA program, and those who do will be on a shorter leash when they are in our communities. I was proud to co-sponsor the even-tougher original form of this bill.

HELP FOR SENIOR CITIZENS I VOTED YES



For years I've co-sponsored legislation to give seniors relief from the burden of ever-increasing property taxes. This year we finally passed a bill (sponsored by Sen. Zarelli) increasing the maximum income eligibility for seniors and retired disabled people to receive exemptions from a portion of their property tax bills. I also helped pass legislation allowing insurance companies to again offer discounts on Medicare Supplement insurance for various payment methods, including electronic fund transfers or annual installments. Spousal discounts are also authorized in the new law. Seniors who testified on the legislation said losing the discounts would force them to pay at least \$100 more a year for their health care coverage because the price break saved them at least \$9 a month.

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TAX INCENTIVES FOR RURAL AND HIGH-TECH EMPLOYERS I VOTED YES



As a member of the House Finance Committee, I pushed to change the state's tax code to help stimulate economic development. We succeeded with two important bills. One renews tax incentives for employers who locate in rural areas — incentives that have directly resulted in hundreds of jobs at a firm located at the Port of Kalama.

The second renews a set of tax credits associated with research and development or pilot-scale manufacturing in high-technology industries. Hundreds of small high-tech firms across Washington, especially in Clark County, have benefited from the tax credits and exemptions, which also are vital for supporting industries designated as “targets,” like advanced computing, semiconductors and biotechnology. The incentives, created in 1994, would have expired this year without legislative action.

BETTER ACCESS TO HEALTH CARE COVERAGE I VOTED YES



Seventy-six percent of Washingtonians, including me, work for small businesses, but less than half of those small employers (50 people or less) offer health plans to their workers. That's because our state requires health care plans to cover 47 mandates — in Idaho, by comparison, it's only 7 mandates. That puts health care coverage out of reach for many small employers. It also means employers who can no longer afford “the works” must either drop health coverage or ask employees to pay higher premiums. It would help if carriers could offer a more affordable basic plan in addition to a gold-plated plan, to help employers find

something in their price range. The Legislature adopted House Bill 2460, which reduced some requirements, but I hope this issue is revisited in 2005.

APPRENTICESHIP QUOTAS I VOTED NO



I'm a fan of apprenticeship programs but couldn't support a bill that would have required apprentices to work at least 15 percent of the total hours on public works projects valued at \$1 million or more. This legislation could have kept a local company with 25 workers from competing for a project because it couldn't absorb the cost of bringing apprentices on simply to satisfy the 15 percent quota. It's also possible journeymen who deserve to work would have been left waiting at the union hall while apprentices took their jobs to satisfy the quota. That isn't the direction we should be going. House leaders rejected my attempt to exempt small employers from the quota. The bill passed on a party-line vote in the House but failed to receive a Senate vote.

PROTECTION FOR SMALL FOREST LANDOWNERS MY BILL!



The Department of Natural Resources has to make sure the people who apply to participate in the state's Forest Riparian Easement program meet the qualifications of “small forest landowner.” But I see no reason why DNR should have access to timber harvest records or any other tax-related information that FRE program applicants have filed with the Department of Revenue. I introduced legislation limiting the Department of Revenue to telling DNR only whether or not a specific landowner has met qualifying thresholds, based on the tax documents submitted. It passed the Legislature unanimously and has been signed into law.

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OPPORTUNITIES FOR 2005

A small fraction of the bills introduced in a legislative session make it all the way through the process to become law – and there's no guarantee a bill will succeed just because it does something helpful. Many of the bills I supported in 2004 would have helped create jobs and restore public trust in government, and I am hopeful they will become law in 2005. For example:

REFORM THE LIABILITY INSURANCE SYSTEM:

I have no intention of limiting the ability of people to be compensated in court for **economic damages**. But we must do something about the rising liability costs that are forcing doctors out of practice, hampering employers and hurting local governments (in 2001, liability costs accounted for 16 percent of cities' budgets!). The situation has reached a crisis. Limits on **non-economic damages** would help.

Unfortunately the House would only pass a lightweight package of bills which fell so far short of real reform that the Senate wouldn't consider them. At the same time, a worthwhile and comprehensive tort reform bill passed by the Senate went nowhere in the House.

INCREASE THE SMALL-BUSINESS TAX CREDIT:

Bumping the tax credit from \$35 (set in 1994) to \$50 would help 17,000 small employers in our state to survive and compete. I introduced legislation on the session's first day (House Bill 2317) which attracted bipartisan sponsorship, but House leaders did not advance the bill.

REDUCE THE REGULATORY BURDEN:

If an agency believes its rules are worth imposing on our employers, it should be willing to submit its proposals to examination by your elected representatives. A classic example is the costly ergonomics rule imposed by the state in 2000: it probably would have been scrapped if it had been allowed to come before the Legislature. Instead, the voters took matters into their own hands last November and did away with the rule. I was lead Republican sponsor of a measure to require legislative hearings on rules proposed by state agencies. Again, House leaders wouldn't let the bill be heard.



My thanks to Camas High School student Linnea Esselstrom and the many other students from the 18th District whom I sponsored as House pages during the 2003-04 legislative term. Each gave up a week of school to carry on a tradition that dates to 1891. Students 14-16 years old with at least a C+ average may apply to be pages in 2005; please phone my office (360-673-4978 in Kalama; 360-786-7812 in Olympia) for more information.